

ELECTION INFORMATION HANDOUT



BY

SARAH F. BAILEY

ADMINISTRATOR OF ELECTIONS

UNICOI COUNTY ELECTION COMMISSION

ELECTION YEAR 2016

TABLE OF CONTENTS

ELECTION COMMISSION OFFICE INFORMATION	3
2016 ELECTION CALENDAR	4
MARCH ELECTION OFFICES & DATES	5
AUGUST ELECTION OFFICES & DATES	5-6
NOVEMBER ELECTION OFFICES & DATES.....	6
NOMINATING PETITION INFORMATION	7-8
QUALIFICATIONS FOR OFFICES	8-9
NEW PHOTO ID REQUIREMENTS FOR VOTING	10
REGISTRATION DEADLINES	11
REGISTRATION AND VOTING FACTS.....	11-12
CAMPAIGNING INFORMATION.....	12
TOWN OF ERWIN & UNICOI SIGN ORDINANCES	12
ABSENTEE VOTING BY-MAIL	13
WHERE TO FILE.....	14
STATEMENT OF INTEREST	15
CAMPAIGN FINANCIAL INFORMATION.....	16-17
“FISHBOWL” CAMPAIGN FINANCE INFORMATION	18
CAMPAIGN FINANCIAL FILING DEADLINES.....	19
DISCLAIMER LAW INFORMATION.....	20
THE FEDERAL HATCH ACT	21

Unicoi County Election Commission

106 NOLICHUCKY AVENUE
P O BOX 76
ERWIN, TN 37650

****PHONE NUMBER – (423) 743-6521****
FAX NUMBER – (423) 735-7327
E-MAIL ADDRESS – vote@unicoicountytn.gov
WEBSITE – www.unicoicountytn.gov

****OFFICE HOURS****

MONDAY – FRIDAY
9:00 A.M. TO 12:00 NOON*
1:00 P.M. TO 5:00 P.M.

***OFFICE WILL REMAIN OPEN FROM 9:00 A.M. TO 5:00 P.M.
DURING EARLY VOTING**

OPEN ON SATURDAY AS REQUIRED BY STATE LAW
Dates are published in the Erwin Record

UNICOI COUNTY ELECTION COMMISSIONERS

Thomas M. Reeves, CHAIRMAN
Marvin H. Rogers, SECRETARY
Roland D. Bailey, MEMBER
Paul C. Monk, MEMBER
William E. Beckman, MEMBER

ADMINISTRATOR OF ELECTIONS
Sarah F. Bailey

DEPUTY ADMINISTRATOR
Teresa J. McFadden

CALENDAR FOR COUNTY PRIMARY, COUNTY GENERAL, AND NOVEMBER MUNICIPAL ELECTIONS

Candidates must file an Appointment of Treasurer form prior to receiving contributions or making expenditures on their campaign, unless they qualify for a Financial Exemption and meet the requirements throughout their campaign.	
Friday, September 11, 2015	First day Nominating Petitions for delegates, Judicial and County Primary/Independent candidates may be issued
Thursday, December 10, 2015	<u>12:00 NOON is the Deadline for delegates and Judicial & County Primary/Independent candidates to file their nominating petitions for Judicial & County offices</u>
Friday, January 8, 2016	First day Nominating Petitions for School Board and State/Federal Primary may be issued
Monday, January 11, 2016	Statement of Interest due to BECF for delegates, Judicial and County Primary/Independent candidates
Monday, February 1, 2016	Last day to register to vote for the March Primary
Wednesday, February 10, 2016	First day of Early Voting for March Primary
Tuesday, February 23, 2016	Last day of Early Voting for March Primary
Tuesday, February 23, 2016	Pre-Primary Campaign Financial Report due
Tuesday, March 1, 2016	PRESIDENTIAL PREFERENCE AND COUNTY PRIMARY ELECTION DAY
Thursday, April 7, 2016	<u>12:00 NOON is the Deadline for School Board and State/Federal candidates to file their nominating petitions</u>
Monday, April 11, 2016	1 st Quarter Campaign Financial Report due (notwithstanding Financial Exemptions)
Monday, May 9, 2016	Statement of Interest due to BECF for School Board and State/Federal candidates
Friday, May 20, 2016	First day Nominating Petitions for Municipal candidates may be issued
Tuesday, July 5, 2016	Last day to register to vote for the August Primary/General
Monday, July 11, 2016	2 nd Quarter Campaign Financial Report due (notwithstanding Financial Exemptions)
Friday, July 15, 2016	First day of Early Voting for August Primary/General
Thursday, July 28, 2016	Pre-General Campaign Financial Report due (notwithstanding Financial Exemptions)
Saturday, July 30, 2016	Last day of Early Voting for August Primary/General
Thursday, August 4, 2016	COUNTY GENERAL AND STATE/FEDERAL PRIMARY ELECTION DAY
Thursday, August 18, 2016	<u>12:00 NOON is the Deadline for Municipal candidates to file their nominating petitions</u>
Monday, September 19, 2016	Statement of Interest due to BECF for Municipal candidates
Tuesday, October 11, 2016	Last day to register to vote for the November General
Tuesday, October 11, 2016	3 rd Quarter Campaign Financial Report due (notwithstanding Financial Exemptions)
Wednesday, October 19, 2016	First day of Early Voting for November General
Tuesday, November 1, 2016	Pre-General Campaign Financial Report due (notwithstanding Financial Exemptions)
Thursday, November 3, 2016	Last day of Early Voting for November General
Tuesday, November 8, 2016	PRESIDENTIAL, STATE/FEDERAL GENERAL AND TOWN OF ERWIN AND TOWN OF UNICOI ELECTION DAY
Wednesday, January 25, 2017	4 th Quarter Campaign Financial Report due (notwithstanding Financial Exemptions)

OFFICES FOR ELECTION IN 2016
ELECTION AND PETITION DATES

TUESDAY, MARCH 1, 2016

JUDICIAL AND COUNTY PRIMARY

DELEGATE-CANDIDATES FOR PPP (MUST SUBMIT TO STATE OFFICE)
CIRCUIT COURT JUDGE (DISTRICT 1 – PART 1)
ASSESSOR OF PROPERTY

THURSDAY, DECEMBER 10, 2015 – 12:00 NOON

QUALIFYING DEADLINE FOR REPUBLICAN PRIMARY/CAUCUS,
DEMOCRATIC PRIMARY/CAUCUS CANDIDATES, AND INDEPENDENT
CANDIDATES FOR ABOVE OFFICES

THURSDAY, DECEMBER 17, 2015 – 12:00 NOON

WITHDRAWAL DEADLINE FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN
WRITING WITH CANDIDATE'S ORIGINAL SIGNATURE

THURSDAY, AUGUST 4, 2016

JUDICIAL AND COUNTY GENERAL

WINNERS OF THE MARCH COUNTY PRIMARY
INDEPENDENT CANDIDATES

NON PARTISAN

COUNTY SCHOOL BOARD DISTRICT 2 (2 SEATS)
COUNTY SCHOOL BOARD DISTRICT 3 (1 SEAT, unexpired term)

THURSDAY, APRIL 7, 2016 – 12:00 NOON

QUALIFYING DEADLINE FOR SCHOOL BOARD DISTRICT 2

THURSDAY, APRIL 14, 2016 – 12:00 NOON

WITHDRAWAL DEADLINE FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN
WRITING WITH CANDIDATE'S ORIGINAL SIGNATURE

THURSDAY, AUGUST 4, 2016

STATE AND FEDERAL DEMOCRATIC AND REPUBLICAN PRIMARY

US HOUSE OF REPRESENTATIVES (DISTRICT 1)
TENNESSEE HOUSE OF REPRESENTATIVES (DISTRICT 4)

THURSDAY, APRIL 7, 2016 – 12:00 NOON
QUALIFYING DEADLINE FOR STATE PRIMARY
AND INDEPENDENT CANDIDATES FOR THE ABOVE OFFICES

THURSDAY, APRIL 14, 2016 – 12:00 NOON
WITHDRAWAL DEADLINE FOR STATE PRIMARY AND INDEPENDENT
CANDIDATES FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN WRITING
WITH CANDIDATE'S ORIGINAL SIGNATURE

TUESDAY, NOVEMBER 8, 2016

STATE AND FEDERAL ELECTION

WINNERS OF THE AUGUST PRIMARY
INDEPENDENT CANDIDATES

NON PARTISAN

TOWN OF ERWIN ELECTION
MAYOR AND 2 ALDERMEN

TOWN OF UNICOI ELECTION
MAYOR AND 2 ALDERMEN

THURSDAY, AUGUST 18, 2016 – 12:00 NOON
QUALIFYING DEADLINE FOR TOWN OF UNICOI AND TOWN OF ERWIN
CANDIDATES FOR ABOVE OFFICES

THURSDAY, AUGUST 25, 2016 – 12:00 NOON
WITHDRAWAL DEADLINE FOR ABOVE OFFICES. WITHDRAWAL MUST BE IN
WRITING WITH CANDIDATE'S ORIGINAL SIGNATURE

Nominating Petition Information

(Issuing the Petition)

1. All petitions must be obtained from the Unicoi County Election Commission Office. Each petition must have the candidate's name and office sought completed at the time the election office issues the petition.
2. An individual may pick up a petition on a candidate's behalf. Also, an individual may return the petition for the candidate. However, only the candidate may complete the candidate's section and the candidate's signature on each page. (No titles may be printed with the candidate's name.)
3. Each petition issued will be treated as a public record. Petition information will be released to the public and media on a regular basis.
4. No photocopies of any petition will be accepted as a replacement for the original. If you lose your original petition or need additional pages, you must obtain original petitions pages from the county election office.

(Procedures to Follow While Circulating a Petition)

5. A candidate's qualifying petition is required to have twenty-five **(25)** nominating signatures, other than the candidate's signature. These signatures must be people who are eligible to vote for the candidate. It is recommended that you obtain at least fifty **(50)** signatures due to the fact that some people may not be registered voters, may have become ineligible to vote, or have not changed their address with the Election Office.
6. Voters signing your petition should sign their name as it is listed on their voter registration record.
7. Each voter must sign their own name. Husbands cannot sign for their wives. Wives cannot sign for their husbands. Anyone who cannot sign their own name due to disability must have two (2) witnesses. (Example: John Doe witnessed by Sally Smith, 12 Main Street and Joe Brown, 10 Main Street.)
8. Voters should list their correct residential address including the city. Post Office Box numbers will not be accepted as a residential address.

(Filing the Nominating Petition)

9. Except for a petition for a delegate candidate, a postmark does not satisfy the filing deadline. For this reason the election commission recommends that the candidate, or their staff, hand deliver the petition in person. The election office staff will provide a receipt of the filed petition for the candidate's record. Any petition filed after the deadline will prevent the candidate's name from being placed on the ballot.
10. All candidates are encouraged to return their nominating petition before the last day of the qualifying period to avoid missing the **Noon Deadline**. Nominating petitions will be checked in the order in which they are returned.
11. The State of Tennessee does not use "*filing fees*" as part of the nominating process.

(Petition Status & Qualification Process)

12. The Unicoi County Election Commission will notify individuals in writing if the petition had or didn't have the necessary number of signatures. Info about the Campaign Treasurer and any additional documents are included in this written notice.
13. The members of the Unicoi County Election Commission have the legal responsibility to place only the names of candidates on the ballot who have met all the necessary qualifications. A nominating petition is part of the process along with residency, felony inquiries, and qualification checks.
14. Individuals that have a felony conviction need to have their rights restored by a court before they can qualify, seek, or hold any office in the State of Tennessee. (A Certificate of Restoration is NOT sufficient.)
15. Candidates for Sheriff and Road Superintendent must file affidavits with state agencies two (2) weeks before the qualifying deadline. School Board candidates are required to file proof of high school graduation or proof of a GED. Constable candidates must file a notarized Affidavit. More information about this process will be provided by the election office specific to the office involved.

(Withdrawal Process)

16. Individuals that wish to withdraw their nominating petition have one week to do so after the qualifying deadline. A written request over the candidate's original signature must be filed prior to the 12:00 Noon deadline with the Unicoi County Election Commission. A fax will not be accepted. A phone call will not be accepted.

(Campaign Financial Documents)

17. Under state law, candidates for local elected office are **required to file financial disclosure documents in a timely manner**. Failure to file campaign financial documents timely usually produces negative publicity for a candidate because the local Press does a good job reporting the status of such filings. It is the candidate's sole responsibility to meet the requirements of the campaign financial laws.

18. An "*Appointment of Treasurer Form*" is always provided with the petition package. Under state law a candidate must file an Appointment of Treasurer before they spend or receive any money.

19. A person who has an unpaid civic penalty imposed by the Bureau of Ethics and Campaign Finance cannot qualify to seek public office unless such penalty has been paid and the required report has been filed as documented by the Registry of Election Finance.

20. The "Paid for by ..." statutes (Disclaimer Law) apply to campaigning for office in Tennessee. See page 24 for more information.

QUALIFICATIONS FOR ELECTED OFFICES IN TENNESSEE

General Provisions Governing Qualifications for Office:

The general qualifications of persons permitted to hold public office are set out in TCA § 8-18-101. This section provides that all persons of the age of eighteen (18) years who are citizens of the United States and of this state, and have been inhabitants of the state, county, district, or circuit for the period required by the constitution and laws of the state, are qualified to hold office under the authority of this state except:

- (1) Those who have been convicted of offering or giving a bribe, or of larceny, or any other offense declared infamous by law, unless restored to citizenship in the mode pointed out by law;
- (2) Those against whom there is a judgment unpaid for any moneys received by them, in any official capacity, due to the United States, to this state, or any county thereof;
- (3) Those who are defaulters to the treasury at the time of the election, and the election of any such person shall be void;
- (4) Soldiers, seamen, marines, or airmen in the regular army or navy or air force of the United States; and
- (5) Members of congress, and persons holding any office of profit or trust under any foreign power, other state of the union, or under the United States.

General Provisions Governing the Causes of Vacancies:

The causes of vacancies are set out in TCA § 8-48-101. This section provides that any office in this state is vacated by the following:

- (1) Death of the incumbent;
- (2) Resignation, when permitted by law;
- (3) Ceasing to be a resident of the state, or of the district, circuit, or county for which he was elected or appointed;
- (4) Decision of a competent tribunal declaring the election or appointment void or the office vacant;
- (5) Act of the general assembly abridging the term of office, where it is not fixed by the constitution;

- (6) Sentence of the incumbent, by any competent tribunal in this or any other state, to the penitentiary, subject to restoration if the judgment is reversed, but not if the incumbent is pardoned; or
- (7) Adjudication of the incumbent's insanity.

UNITED STATES PRESIDENT

- 35 years of age; natural-born citizen; and a resident within the United States for 14 years. (US Constitution Article 2, Section 1[5])

UNITED STATES REPRESENTATIVE

- 25 years of age; Citizen of United States for 7 years; and a Tennessee resident. (US Constitution Article 1, Section 2)

STATE REPRESENTATIVE

- Basic qualifications of TCA 8-18-101; and
- Shall be a citizen of the United States, at least 21 years of age, and shall have resided 3 years in this State and 1 year in the county represented immediately preceding the election. (TN Constitution Article 2, Section 9)
- Each district shall be represented by a qualified voter of that district. (TN Constitution Article 2, Section 5a)

CIRCUIT COURT JUDGE/CRIMINAL COURT JUDGE

- Basic qualifications of TCA 8-18-101; and
- Shall be at least 30 years of age and a resident of the state for 5 years and of the circuit or district 1 year. (TN Constitution Article 6, Section 4)
- Shall be learned in the law, evidenced by being authorized to practice law in the courts of Tennessee. (TCA 17-1-101, 17-1-102, 17-1-103, 17-1-106)

ASSESSOR OF PROPERTY

- Basic qualifications of TCA 8-18-101; and
- Shall reside within the county. (TCA 8-48-101)
- No member of the county legislative body shall be eligible to hold the office of assessor. (TCA 67-1-503)

SCHOOL BOARD

- Basic qualifications of TCA 8-18-101; and
- Shall reside within and be a qualified voter of the district represented. (TCA 49-2-201)
- Shall file with the county election commission proof of graduation from high school or receipt of a GED, evidenced by a diploma or other documentation satisfactory to the commission. (TCA 49-2-202)
- No member of the county legislative body nor any other county official shall be eligible for election as a member of the county board of education. (TCA 49-2-202)

PHOTO ID REQUIREMENTS

All voters must present an ID, meeting the requirements below, containing the voter's name and photograph, whether voting early or on Election Day.

Any of the following IDs may be used, even if expired:

- Tennessee driver license with your photo
- United States Passport
- Tennessee Department of Safety and Homeland Security photo ID
- Photo ID issued by the federal or Tennessee state government, such as an employee ID from the U.S. Department of Energy with your photo
- United States Military photo ID, including a Veteran Identification Card
- Tennessee handgun carry permit card with your photo

What forms of photo ID are NOT acceptable?

- College student photo IDs
- Privately issued photo IDs, such as your discount club or bank card with your photo
- Photo IDs issued by other states or by county or city governments, including library cards

Who is exempt?

- Voters who vote absentee by mail (view requirements at <http://www.tn.gov/sos/election/bymail.htm>)
- Voters who are residents of a licensed nursing home or assisted living center and who vote at the facility
- Voters who are hospitalized
- Voters with a religious objection to being photographed
- Voters who are indigent and unable to obtain a photo ID without paying a fee

What if I do not bring a photo ID to the polling place?

- If you do not bring a photo ID, you will vote a provisional ballot.
- You will then have until two (2) business days after Election Day to return to the election commission office to show a valid photo ID.

What if I do not have a photo ID?

- You may obtain a free photo ID to vote from the Department of Safety and Homeland Security at a driver service center. You will need proof of citizenship (such as a birth certificate), two proofs of Tennessee residency (such as a voter registration card, utility bill, vehicle registration/title, or bank statement), and if your name differs from that on your primary ID, proof of the changed name (such as certified marriage certificate, divorce decree, certified court order, etc.).
- If you do not have a photo on your driver's license and no other form of valid photo ID, you may visit a driver service center to have your photo added to your license for free upon request.
- You may use the "express service" line at the driver service center to obtain your photo ID to minimize wait times.
- **NOTE:** If you already have a valid government-issued photo ID, the Department of Safety will not issue a free photo ID to you.
- Visit <http://www.tn.gov/safety/photoids.shtml> for more information.

Where can I find out more information?

- Call or visit your county election commission, or
- Visit our website at <http://www.GoVoteTN.com>

Please notify your county election commission if your address changes.



Tennessee Secretary of State Tre Hargett
Division of Elections
312 Rosa L. Parks Avenue, 7th Floor • Nashville, TN 37243
Mark Goins, Coordinator of Elections
Phone: 1-877-850-4959

Updated April 2013

VOTER REGISTRATION AND EARLY VOTING DATES BY ELECTION

TUESDAY, MARCH 1, 2016 PRESIDENTIAL PREFERENCE AND COUNTY PRIMARY ELECTION

REGISTRATION DEADLINE
FEBRUARY 1, 2016

EARLY VOTING DATES
FEBRUARY 10 – 23, 2016

THURSDAY, AUGUST 4, 2016 STATE AND FEDERAL DEMOCRATIC AND REPUBLICAN PRIMARY COUNTY GENERAL ELECTION

REGISTRATION DEADLINE
JULY 5, 2016

EARLY VOTING DATES
JULY 15 – 30, 2016

TUESDAY, NOVEMBER 8, 2016 PRESIDENTIAL, STATE AND FEDERAL ELECTIONS TOWN OF ERWIN ELECTION TOWN OF UNICOI ELECTION

REGISTRATION DEADLINE
OCTOBER 11, 2016

EARLY VOTING DATES
OCTOBER 19 – NOVEMBER 3, 2016

REGISTRATION AND VOTING IN TENNESSEE

- In this State, you do not register by political party.
- Only in Primary Elections do you declare a political party. You can only vote in one party's primary per election.
- If you do not vote in a primary election, you may still vote in the General Election.
- In a General Election, you may vote for any candidate on the ballot. You can vote a straight party ticket or a split ticket.

- If you will be eighteen years old on or by the date of the next election, you are eligible to register to vote (must register before the registration deadline).
- All name changes and address changes must be made no later than five days before an election or you will be required to vote as a Fail-Safe voter on Election Day.
- When you move to Unicoi Co. from another state or county, you must re-register to vote.
- If you are currently registered to vote in Unicoi County, but have moved to a new address within Unicoi County, you may change your address by coming by the office or writing your new address on the back of your voter's registration card, and mailing your card to P O Box 76, Erwin, TN 37650.
- If you register by mail, you must vote in person the first time. "In person" means either voting during early voting in the Election Commission office or on Election Day at your correct voting precinct.
- Voters with emergency circumstances such a death of family member, subpoena or service of process may vote not more than five days before and not later than the day prior to the election by contacting our office.
 - Hospitalized voters may request emergency registrars to assist him or her in voting an absentee ballot in the hospital (this service is only available for the hospital in Unicoi County). Request for emergency service must be received prior to the opening of the polls on Election Day.

CAMPAIGNING DURING EARLY VOTING OR ON ELECTION DAY

TCA 2-7-111 prohibits campaigning within 100 feet of the entrance to a polling place. This boundary does not extend beyond the property on which the polling place is located or public property. Therefore, any legal campaign activity may take place beyond the grounds of the building on which a polling place is located, even if the adjoining property is closer than 100 feet from the entrance to the polling place. Display of campaign posters, signs or other campaign materials, distribution of campaign materials and solicitation of voters is strictly prohibited within 100 feet of any polling place. The Election Commission office is a polling place during early voting.

During the hours the polls are open on Election Day, candidates are not to enter a polling place unless the candidate is there to cast his/her vote (TCA 2-7-103) A candidate may only enter the election commission office during Early Voting to vote or conduct official business.

SIGN ORDINANCE (TOWN OF ERWIN)

The **Town of Erwin** has a sign ordinance that prohibits signs on publicly owned property, public right of way or utility poles. Political Campaign Signs: Each sign not to exceed nine (9) square feet in residential districts or thirty-two (32) square feet in all other districts, may be erected on private property during an election year. All campaign signs shall be removed by the property owner within seven (7) days after the results of an election are certified.

SIGN ORDINANCE (TOWN OF UNICOI)

Each sign not to exceed 32 sq ft in all districts, may be erected on private property or 12 sq ft within the public right-of-way, no more than 60 days prior to the election. All campaign signs shall be removed by the property owner within 7 days after the results of an election are certified. No signs **or banners** of any type **except town directional, informational or activity signs or banners** may be placed on road right-of-ways within 40 feet of the four (4) Town of Unicoi signs located (1) at Tinker Road, (2) at I-26 Exit 32, (3) at the intersection of Unicoi Road and Unicoi Drive and (4) at town hall.

EARLY VOTING

"A voter who desires to vote early shall go to the county election commission office within the posted hours not more than twenty days nor less than five days before the day of the election." TCA 2-6-102 (a)(1) Notwithstanding division (a)(1), when a presidential preference primary is held, a voter who desires to vote early for such elections shall go to the county election commission office within the posted hours not more than twenty (20) days nor less than seven (7) days before the day of the election." TCA 2-6-102 (c)

EARLY VOTING BY MAIL

YOU MAY VOTE ABSENTEE BY MAIL IF ONE OF THE FOLLOWING REASONS APPLIES:

1. The voter will be outside the county of registration during the early voting period and all day on Election Day (including members of the military or the spouse or dependents of a member of the military and overseas citizens) ;
2. The voter's licensed physician has filed a statement with the county election commission stating that, in the physician's judgment, the voter is medically unable to vote in person. The statement must be filed not less than seven (7) days before the election and signed under the penalty of perjury;
3. The voter or spouse of the voter is a full-time student at an accredited college, university or similar accredited institution of learning which is outside the county;
4. The voter resides in a licensed facility providing relatively permanent domiciliary care, other than a penal institution, outside the voter's county of residence;
5. The voter will be unable to vote in person due to service as a juror for a federal or state court;
6. The voter is sixty (60) years of age or older;
7. The voter has a physical disability and an inaccessible polling place;
8. The voter is hospitalized, ill, or physically disabled and because of such condition, cannot vote in person;
9. The voter is a caretaker of a person who is hospitalized, ill, or disabled;
10. The voter is a candidate for office in the election;
11. The voter serves as an election day official or is a member or employee of the election commission;
12. The voter's observance of a religious holiday prevents him or her from voting in person during the early voting period and on election day;
13. The voter or spouse of the voter possesses a valid commercial driver license or TWIC card and certifies that he or she will be working outside the state or county of registration during the early voting period and all day on Election Day.

PROCEDURES FOR VOTING BY MAIL:

If you meet one of the above conditions and wish to vote by mail, you must request a ballot in writing over your signature. The request can be made as much as 90 days in advance of an election and not later than 7 days prior to an election. The request can be hand-delivered, mailed, faxed or scanned/photographed and emailed to the election office.

THE REQUEST FOR VOTING BY MAIL CAN SERVE AS THE APPLICATION FOR BALLOT IF IT CONTAINS THE FOLLOWING INFORMATION:

1. The voter's name;
2. The voter's address in the county;
3. The voter's social security number;
4. The voter's date of birth
5. The address to mail the ballot to outside the county;
6. The election in which the voter wishes to vote (specify which party if it is a primary election);
7. The reason the voter is requesting to vote by mail; and
8. The voter's signature.

If the request does not contain all the information listed above, the election commission shall send the voter an application for an absentee ballot in order to obtain the needed information.

PHYSICIAN'S FORMS are available in the election commission office. Special rules apply for PERMANENT NURSING HOME RESIDENTS. For further information, call the Election Commission office. (423-743-6521)

WHERE TO FILE

OFFICE CANDIDATE IS SEEKING	OFFICE WHERE REPORT IS TO BE FILED	
	CAMPAIGN FINANCIAL DISCLOSURE STATEMENT (SEE NOTE BELOW)	STATEMENT OF INTERESTS
GOVERNOR	BUREAU (REGISTRY)	BUREAU (ETHICS)
STATE SENATOR	BUREAU (REGISTRY)	BUREAU (ETHICS)
STATE REPRESENTATIVE	BUREAU (REGISTRY)	BUREAU (ETHICS)
MEMBER OF EXECUTIVE COMMITTEE OF A POLITICAL PARTY	LOCAL COUNTY ELECTION COMMISSION IN EACH COUNTY WHERE CANDIDATE IS ON THE BALLOT	BUREAU (ETHICS)
DISTRICT ATTORNEY GENERAL	BUREAU (REGISTRY)	BUREAU (ETHICS)
DISTRICT PUBLIC DEFENDER	BUREAU (REGISTRY)	BUREAU (ETHICS)
SUPREME COURT JUSTICE, JUDGE OF COURT OF APPEALS, JUDGE OF COURT OF CRIMINAL APPEALS, CHANCELLORS, CIRCUIT COURT JUDGES, CRIMINAL COURT JUDGES AND PROBATE COURT JUDGES	BUREAU (REGISTRY)	BUREAU (ETHICS)
GENERAL SESSIONS JUDGES AND JUVENILE COURT JUDGES	LOCAL COUNTY ELECTION COMMISSION IN EACH COUNTY WHERE CANDIDATE IS ON THE BALLOT	BUREAU (ETHICS)
DELEGATE TO TENNESSEE CONSTITUTIONAL CONVENTION	BUREAU (REGISTRY)	BUREAU (ETHICS)
ALL OTHER CANDIDATES FOR ELECTED PUBLIC OFFICE (Includes elected county and city offices)	LOCAL COUNTY ELECTION COMMISSION	BUREAU (ETHICS)

ALL REPORTS LISTED AS BEING FILED WITH BUREAU (REGISTRY) OR BUREAU (ETHICS) ARE FILED WITH THE BUREAU OF ETHICS AND CAMPAIGN FINANCE. ANY VIOLATION OF THE STATUTE WILL BE HANDLED BY THE RESPECTIVE DIVISION LISTED IN PARENTHESES.

IF A CANDIDATE IS SEEKING AN OFFICE FOR WHICH SERVICE IS PART-TIME, COMPENSATION IS LESS THAN \$1,000 A MONTH AND THE CANDIDATE DOES NOT SPEND MORE THAN \$1,000 TO GET ELECTED TO OFFICE, THE CANDIDATE IS NOT REQUIRED TO FILE CAMPAIGN FINANCIAL DISCLOSURE STATEMENTS, UNLESS THE OFFICE SOUGHT IS A CHIEF ADMINISTRATIVE OFFICE. HOWEVER, THE CANDIDATE MUST FILE A STATEMENT OF INTERESTS.



STATEMENT OF INTERESTS

Candidates for State and Local

Filing Requirements

Pursuant to the Comprehensive Governmental Ethics Reform Act of 2006, state and local candidates must file a Statement of Interests with the Tennessee Ethics Commission (Commission). **Failure to timely file your Statement of Interests may result in the assessment of civil penalties of up to \$10,000.**

Filing Date

Statement of Interests must be filed no later than 30 days after the last day to qualify as a candidate.

How to File

File Electronically. You may file electronically at the Commission's website: www.tennesseeanytime.org/conflict.

- 1.) **Previously Filed Electronically.** You will continue to use the same username and password to file. If you do not remember your username and password, you can retrieve this information by clicking on "Forgot Username or Password."
- 2.) **First Time Electronically Filing.** In order to file electronically, you must have internet access, an e-mail address, and an authorization code which you will need to establish your account. To obtain your authorization code, please contact the Commission at (615) 741-7959.

File on Paper: A paper Statement of Interests (with instructions) is available on the Commission's website: www.tn.gov/sos/tec/forms/ss-8005.pdf. You should download the form, complete it in its entirety and return to the Commission at the address listed on the instructions. You may also request a form and instructions from the Commission by calling (615) 741-7959.

If you have any questions concerning your statement, call (615) 741-7959 for information.

CAMPAIGN FINANCE For State and Local Candidates

Below is a brief summary of the campaign finance statutes for state and local candidates. **The purpose of this summary is to make potential candidates aware of their responsibilities under the campaign finance statutes.** For more complete info please go to our website (www.tn.gov/tref), speak with your Administrator of Elections (AOE), e-mail the Registry of Election Finance (Registry) (registry.info@tn.gov) or call the Registry (615.741.7959).

Who

Any individual who becomes a candidate. A candidate is defined as an individual who:

- Makes a formal announcement of candidacy for office;
- Has qualified to seek office;
- Accepts contributions or makes expenditures to determine if one shall be a candidate(except for incidental expenditures); or
- Establishes a campaign committee to accept contributions or make expenditures to seek election.

What

Appointment of Treasurer Statement. A candidate must file an Appointment of Political Treasurer Statement with the appropriate office before he or she may receive contributions or make expenditures.

Campaign Financial Disclosure Statements. Candidates must file periodic campaign financial disclosure reports detailing their campaign contributions and expenditures unless they are exempt as described below.

Exempt. A local candidate is exempt from the filing requirements if he or she is seeking an office for which the service is part-time and the compensation is less than \$1,000 per month. This exemption does not apply if the candidate spends more than \$1,000 seeking the office or if the office being sought is mayor or chief administrative officer.

When

Periodic campaign financial disclosure reports are due based on the date of the election(s). The Registry posts on its website (www.tn.gov/tref) the filing dates for state elections and many common local elections. Local candidates should contact their AOE for filing dates.

Where

State candidates file campaign financial disclosure reports electronically with the Registry. Local candidates file campaign financial disclosure reports on paper with their county election commission office.

Candidates will receive a notice from either the Registry or county election commission before a report is due.

Information Required on Campaign Financial Disclosure Statements

Short Form. A candidate receiving \$1,000 or less and spending \$1,000 or less during a reporting period may file a short form. The only financial information required on a short form is balance on hand, loan balance and obligation balance.

Long Form. A candidate who does not meet the requirements to file a short form must file a disclosure detailing their contributions, in-kind contributions, expenditures, loans and obligations (see below for details).

Contributions. Contributions are monies (including a candidate's personal funds) or things of value received for the purpose of the election of any person to public office. Non-monetary contributions such as a donation of supplies are called in-kind contributions. Anonymous contributions may not be accepted.

Contributions totaling \$100 or less from a single source during the reporting period are not required to be itemized. They may be totaled with other single source contributions totaling \$100 or less and be reported as a single item.

Contributions totaling more than \$100 from a single source during a reporting period are required to itemized. Each itemized contribution must list the contributor's full name, complete address, occupation, and employer. In addition, the amount, date of receipt, and election the contribution is designated for must be listed.

Expenditures. Expenditures are defined as any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value made for the purpose of influencing the election of any person to public office.

Expenditures totaling \$100 or less to a single payee during the reporting period are not required to be itemized. These expenditures may be broken down and totaled by general categories (i.e. gas, food, and printing).

Expenditures totaling more than \$100 to a single payee must be itemized. Each itemized expenditure must list the payee's full name and complete address along with the amount and purpose of the expenditure.

Loans. Campaign loans must be disclosed by a candidate during the reporting period that the loan is received. A loan must continue to be disclosed on future campaign financial disclosure statements until the loan is paid back in full or a statement has been filed stating the loan will not be repaid and is to be considered a contribution to the campaign.

Obligations. Goods and services received on credit which are not paid for during the reporting period received must be disclosed as an obligation by the candidate during the reporting period that the obligation is incurred. The obligation must continue to be disclosed by the candidate or committee until fully paid.

Contribution Limits

There are limits on how much a person or a PAC may contribute (monetary and in-kind) to a candidate's campaign per election (primary, general and run-off are considered separate elections) and how much monies that a candidate may accept for an election from a person or PAC. The limits for 2013/2014 are as follows:

Office	Person	PAC	Total Contributions from PACs Excluding Party PACs	Total Contributions from Party PACs
Statewide	\$3,800	\$11,200	50% of contributions	\$374,300
State Senate	\$1,500	\$11,200	\$112,300	\$59,900
State Rep	\$1,500	\$7,400	\$112,300	\$30,000
Local Candidate	\$1,500	\$7,400	\$112,300	\$30,000

A candidate may not accept more than \$50 in cash contributions from a single person per election.

Prohibited Uses of Campaign Funds

A candidate for an elected public office is prohibited from using any campaign funds prior to, during or after an election for the candidate's own personal use. Personal use is defined as any use of funds that would require the candidate or official to treat the use as gross income under Section 61 of the IRS Code of 1986. T.C.A. § 2-10-114(b)(1).

There are other specific uses of campaign funds that are prohibited. They may be found on the Registry website in Question 19 of the Candidate FAQs.

Failure to File Required Reports and Violating Other Campaign Finance Statutes

The Registry has the authority to impose civil penalties of up to \$10,000 for late filing or failure to file required campaign financial disclosure reports.

The Registry also has the authority to impose civil penalty of up to \$10,000 or 115% of the amount of all contributions made or accepted in excess of the limitations of the Act, whichever is greater.

FISHBOWLS

- An individual may only make **cash** contributions to a candidate of up to \$50 per election. This would include any contributions placed in a "fishbowl".
- Candidates must account for all contributions received; they are not allowed to accept anonymous campaign contributions (AG Opinion 97-065). Contributions placed in a "fishbowl" are anonymous unless records are kept.
- In order to comply with the restrictions of the campaign financial disclosure law, candidates must be able to identify the source of each contribution received. If a candidate can not account for each contribution received, they will not be able to determine if:
 - An individual has contributed more than \$50 in cash for an election.
 - An individual has exceeded \$100 in contributions for a reporting period and thus their contributions must be itemized.
 - An individual has exceeded the \$1,500 per election contribution limit.
- There are several methods that a candidate may use to keep records at a "fishbowl" event. These methods would include:
 - Have a campaign worker(s) stay with the "fishbowl" and take names and addresses as contributions are placed in the "fishbowl" (remember that occupation and employer must be obtained for any contributions that must be itemized).
 - Have each contributor complete a card with the appropriate information and have it placed in the "fishbowl" at the same time the contribution is made.
 - Have envelopes printed with blanks for the required information. Each contributor may place their contribution in the envelope, provide the required information and then drop it into the "fishbowl".

Filing Dates 2016

Candidate Wins Primary (Includes Independent Candidates)

Report	Period Covered	Due Date
Pre-Primary ¹	01/16/2016 – 02/20/2016	02/23/2016
1 st Quarter	02/21/2016 – 03/31/2016	04/11/2016
2 nd Quarter	04/01/2016 – 06/30/2016	07/11/2016
Pre-General	07/01/2016 – 07/25/2016	07/28/2016
3 rd Quarter	07/26/2016 – 09/30/2016	10/11/2016
4 th Quarter ²	10/01/2016 – 01/15/2017	01/25/2017

Candidate Loses Primary

Report	Period Covered	Due Date
Pre-Primary ¹	01/16/2016 – 02/20/2016	02/23/2016
1 st Quarter	02/21/2016 – 03/31/2016	04/11/2016
2 nd Quarter	04/01/2016 – 06/30/2016	07/11/2016
3 rd Quarter	07/01/2016 – 09/30/2016	10/11/2016
4 th Quarter ²	10/01/2016 – 01/15/2017	01/25/2017

Municipal Candidates

Report	Period Covered	Due Date
3 rd Quarter ¹	07/01/2016 – 09/30/2016	10/11/2016
Pre-General	10/01/2016 – 10/29/2016	11/01/2016
4 th Quarter	10/30/2016 – 01/15/2017	01/25/2017

NOTES:

¹ – If this is the candidate's first report for this election, the beginning date of the report will be the date of the first contribution or expenditure or the candidate's qualifying deadline, whichever occurred earlier.

² – If the candidate closes out (\$0 balance) their campaign on a previous quarterly report, they are not required to file this report.

*** A candidate will continue to file Campaign Financial Disclosures biannually until they have closed out their account with a \$0 balance. (If requested, our office can provide you with a list of appropriate ways to donate excess campaign funds to close out your account).

Disclaimer Law Information

A. What does the Disclaimer Law require?

- 1) T.C.A. § 2-19-120 requires that a “disclaimer,” i.e., a statement, which identifies who paid for a communication and whether the communication is authorized by the candidate, appear and be presented in a clear and conspicuous manner within a communication expressly advocating the election or defeat of a clearly identified candidate, or soliciting contributions.
- 2) The disclaimer does not have to appear on the front face of the communication, unless the communication only contains a front face, for example, billboards.
- 3) The specifics of the information required in the disclaimer can be found at T.C.A. § 2-19-120(a)(1), (2), (3) and (4).

B. To whom does it apply? Candidates

- 1) Definition of Candidate – T. C. A. § 2-10-102(3) provides that "Candidate" means an individual who has made a formal announcement of candidacy or who is qualified under the law of this state to seek nomination for election or elections to public office, or has received contributions or made expenditures except for incidental expenditures to determine if one shall be a candidate, or has given consent for a campaign committee to receive contributions or make expenditures with a view to bringing about the individual's nomination for election or election to state public office.

C. When does the statute apply? Whenever any person:

- 1) Makes an expenditure to finance a communication which expressly advocates the election or defeat of a clearly identified candidate, or
- 2) Solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing or any other form of general public political advertising.
- 3) Exceptions:
 - (1) The requirements of this section do not apply to bumper stickers, pins, buttons, pens, novelties, and similar small items upon which the disclaimer cannot be conveniently printed.
 - (2) The requirements of this section do not apply to communications regarding questions on the ballot.

D. What is the penalty for its violation? Class C misdemeanor

E. Who enforces the statute? The District Attorney General

The Federal Hatch Act

The information contained in this document is taken from:

<http://www.osc.gov/documents/hatchact/state/Hatch%20Act%20Modernization%20Act%20Guidance%20for%20State%20and%20Local%20Employees.pdf>

Before relying upon the information contained herein, the U.S. Office of Special Counsel, the enforcer of the Federal Hatch Act, should be contacted for verification of and any updates to the Hatch Act or the Hatch Act Modernization Act. The U.S. Office of Special Counsel may be reached by calling (800) 854-2824, or writing to hatchact@osc.gov.

On December 19, 2012, Congress passed the Hatch Act Modernization Act of 2012. The Act allows most state and local government employees to run for partisan political office. Prior to this change, state and local government employees were prohibited from running for partisan office if they worked in connection with programs financed in whole or in part by federal loans or grants. With the change, the federal Hatch Act no longer prohibits state and local government employees from running for partisan office unless the employee's salary is paid for completely by federal loans or grants.

This change will allow hundreds of thousands of state and local government employees to participate more actively in the democratic process in their communities.

Before entering a race as a candidate, employees should keep in mind the following:

- ***Make sure your salary is not completely funded by federal loans or grants.*** A very small number of state and local employees may continue to be prohibited from running for office by the federal Hatch Act. Before running for office, take steps to determine that your salary is not entirely -- 100% -- funded by federal loans or grants. Your state or local finance office should be able to clarify whether your salary is completely funded by federal loans or grants.
- ***Make sure state or local law does not prohibit you from running.*** Employees should also make sure that they are not prohibited from running for office by state or local law. Nearly every state, many localities, and the District of Columbia have ethics rules that govern the political activity of their employees. This includes, in some cases, the ability of employees to run for state or local office. While the rules under the federal Hatch Act have been relaxed with regard to partisan candidacies, states and localities are free to implement more rigid requirements at their discretion. OSC does not keep a comprehensive list of state and local political activity laws, and OSC does not enforce laws passed at the state or local level. Your state or local ethics office should be able to clarify whether any provision of state or local law prohibits you from running for office.
- ***The Hatch Act restricts state or local employees from engaging in political misconduct.*** The Hatch Act Modernization Act did not change the federal Hatch Act's prohibitions on coercive conduct or misuse of official authority for partisan purposes. A state or local employee is still covered by these prohibitions if the employee works in connection with a program financed in whole or in part by federal loans or grants, even if the connection is relatively minor. A covered employee who runs for office would violate the Hatch Act if the employee:
 - uses federal or any other public funds to support his own candidacy;
 - uses his state or local office to support his candidacy, including by using official email, stationery, office supplies, or other equipment or resources; or
 - asks subordinates to volunteer for his campaign or contribute to the campaign.